## Before the FEDERAL COMMUNICATIONS COMMISSION Washington, DC 20554

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Wireless E911 Location Accuracy Requirements ) PS Docket No. 07-114

To: Chief, Public Safety & Homeland Security Bureau

## E911 EXCLUSION REPORT FOR COMMNET WIRELESS, LLC

Commnet Wireless, LLC, on behalf of itself and its subsidiaries (collectively, "Commnet"), and its affiliates Choice Communications, LLC ("Choice") and SAL Spectrum LLC ("SAL"), hereby submits its E911 Exclusion Report ("Report"), pursuant to Section 20.18 of the Commission's rules and the *Order*, DA 11-1125, released June 28, 2011 ("Exclusion Report Order"), from the Public Safety & Homeland Security Bureau ("Bureau").

Commnet operates various systems. Some of those systems are exclusively GSM technology (network-based); others are exclusively CDMA (handset-based); and still others use both technologies. At this time, all of Commnet's CDMA operations in areas where the PSAP is Phase 2-capable are meeting the Phase 2 accuracy requirements, and therefore no exclusion is being reported with respect to any CDMA operations.

Attached to this narrative is a declaration from Mark Hansen, Vice President/Network

Operations of Commnet, and a table listing the counties/PSAPs as to which Commnet is

<sup>&</sup>lt;sup>1</sup> These subsidiaries include Commnet of Arizona, LLC; Commnet Four Corners, LLC; Commnet of Nevada, LLC; Excomm, LLC; Gila County Wireless, LLC; Elbert County Wireless, LLC; Commnet Midwest, LLC; Mora Valley Wireless, LP; Peridot Wireless, LP; and Tisdale Telephone Company, LLC. Please note that Commnet of Florida, LLC, which is less-than-50%-owned, is filing a separate Exclusion Report.

<sup>&</sup>lt;sup>2</sup> Choice operates only in the U.S. Virgin Islands, where no PSAP is Phase 2-capable and no request for Phase 2 has been made to it. Thus, it has no exclusion to report.

<sup>&</sup>lt;sup>3</sup> SAL holds 700 MHz licenses and one PCS license, call sign WPTK628, none of which are in operation at this time. Thus, SAL also has no exclusion to report.

reporting that it is not Phase 2-compliant with respect to GSM operations in that area. As to each of these GSM operations: (a) the GSM system is a roam-only, carriers' carrier system serving incoming roamer traffic, with local subscribers, if any, being on the co-contour CDMA network that is Phase 2-compliant; (b) the reason for the inability to be Phase 2-compliant for GSM is insufficient triangulation; (c) all of these GSM operations are in remote areas; and (d) the local

PSAP(s) are aware of the GSM system being only Phase 1-compliant and have no objection.

These GSM operations are places where Commnet has few cell sites. Even where the table appears to show a larger number of sites, such as Pima County, Arizona, the number of sites must be put into context with the area being served. For example, Pima County, home to the city of Tucson, Arizona, has a total land area of 9,187 square miles, of which the Tucson populated area covers only about 1,500 square miles. (Commnet is *not* licensed for and does not cover the city of Tucson or any suburbs thereof.) The rest of Pima County, on the other side of the Sierrita Mountains from Tucson and its suburbs, consists of the Sonoran Desert, the Buenos Aires and Cabeza Prieta National Wildlife Refuges, Organ Pipe Cactus National Monument, and the Tohono O'odham Indian Reservation. This wild, sparsely populated and remote area, larger by far than the state of Connecticut (which has a land area of only 4,485 square miles), presents a challenge to serve at all, and Commnet's widely-spaced sixteen GSM cell sites have virtually no triangulation potential, as the local PSAP has recognized.

July 28, 2011

Rini Coran, PC 1140 19<sup>th</sup> Street NW, Suite 600 Washington, DC 20036 Respectfully submitted,

By:

David J. Kaufman, Counsel

202-955-5516

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## **DECLARATION OF MARK HANSEN**

I, Mark Hansen, declare under penalty of perjury that:

I am the Vice President, Network Operations, for Commnet Wireless, LLC and its subsidiaries, as well as for its commonly-owned affiliates Choice Communications, LLC and SAL Spectrum, LLC (collectively, "Commnet"). I am the individual who serves as the chief contact person with oversight responsibility for monitoring the overall status of location accuracy compliance under Section 20.18(h) for Commnet. I have read the foregoing July 28, 2011 E911 Exclusion Report for Commnet, including the table attached thereto. All facts set forth therein are true and correct, to the best of my knowledge, information and belief.

My business address and phone number are: 1562 Park Street, Castle Rock, CO 80102, Tel. 720-733-5388

Executed as of July 28, 2011.

Mark Hansen

				Commnet Depl									
				P1	P2	PSAP					No. of the Control of	100707-01-01	
County	Technology	Phase	Compliant	Complete	Complete	Name	P1 Sites	P2 Sites	Total Sites	Notes	(a)*	(b)**	(c)***
Coconino-Page	CDMA GSM	2	NO	2/3/09	7/15/09 CDMA	Page Police Dept	6	5	6	Phase 2 compliant CDMA but not GSM		v	
Pima	CDMA_GSM	2	NO	7/28/10	6/17/10 CDMA	Pima County Sheriff	16	14	17	Phase 2 compliant CDMA but not GSM		· ·	
Yavapai	CDMA GSM	2	NO	2/8/10	2/10/10	Yavapai County Sheriff	3	3	i.e.	Phase 2 compliant CDMA but not GSM		×	
California	CDINIA_GGINI	-	NO	2/6/10	2/10/10	ravapar County Sheriii	3	. 3	4	Phase 2 compliant CDMA but not GSM		^	
Inyo	CDMA_GSM	2	NO	1/27/11	1/27/11	Inyo County Sheriff	1	1	1	Phase 2 compliant CDMA but not GSM		×	
Chaffee	GSM	2	NO	7/13/10		Chaffee County Sheriff	2		2	Phase 1 accuracy only.		x	
Elbert	CDMA_GSM	2	In Progress	7710710		Douglas County Sheriff	5	5	5	deployment completed in appx 6 mo		^	
Gunnison	CDMA_GSM	2	NO	7/14/10	7/14/10	Gunnison County Communications	7	6	7	Phase 2 compliant CDMA but not GSM		×	^
Lake	CDMA GSM	2	NO	7/15/10	7/15/10	Lake County Sheriff	1	4	1	Phase 2 compliant CDMA but not GSM		0	
LaPlata	CDMA_GSM	2	NO	6/2/08	11/3/09	La Plata County -Durango	6	9	15	Phase 2 compliant CDMA but not GSM		^	
Montrose	CDMA_GSM	2	NO	9/22/09	9/22/09	Montrose Emegency Tele Authority	2	2	2	Phase 2 compliant CDMA but not GSM			
Park	CDMA_GSM	2	NO	10/7/08	6/30/05	Park County Communications Center	10	9	10	Phase 2 compliant CDMA but not GSM			
Kansas	ODINA_GON	-	NO	10/7/08	0/30/05	Fair County Communications Center	10	9	10	Phase 2 compliant CDMA but not GSW		^	
Allen	GSM	2	NO	7/20/09		Iola-Allen County 911	4	0	4	Phase 1 accuracy only.		x	
Anderson	GSM	2	NO	11/10/09		Anderson County Dispatch Center	2	0	2	Phase 1 accuracy only.		×	
Bourbon	GSM	2	NO	1/11/10		Fort Scott Police Department	4	0	4	Phase 1 accuracy only.		×	
Chase	GSM	2	NO	6/29/09		Chase County Sheriff	2	0	2	Phase 1 accuracy only.		x	
Clay	GSM	2	NO	4/26/10		Clay County Sheriff	2	0	2	Phase 1 accuracy only.		x	
Cloud	GSM	2	NO	7/1/09		Concordia City Police Department	4	0	4	Phase 1 accuracy only		x	
Coffey	GSM	2	NO	1/16/09		Coffey County Sheriff	2	0	2	Phase 1 accuracy only.		x	
Cowley	GSM	2	NO	3/8/10		Winfield Police Department and Arkansa	5	0	5	Phase 1 accuracy only.		x	
Crawford	GSM	2	NO	7/28/09		Crawford County Sheriff	4	0	1	Phase 1 accuracy only.		×	
Dickinson	GSM	2	NO	6/8/09		Dickinson County Emergency Communication	3	0	3	Phase 1 accuracy only.		×	
Elk	GSM	2	NO	3/8/10		Elk County Emergency	1	0	1	Phase 1 accuracy only.		×	
Franklin	GSM	2	NO	11/10/09		Franklin County Sheriff	1	0	1	Phase 1 accuracy only		x	
Greenwood	GSM	2	NO	10/12/09		Greenwood County Sheriff	4	0	4	Phase 1 accuracy only.		x	
Harper	GSM	2	NO	6/29/09		Harper County Communications	2	0	2	Phase 1 accuracy only.		х	
Kingman	GSM	2	NO	10/5/09		Kingman County Sheriff	2	0	2	Phase 1 accuracy only		X	
Linn	GSM	2	NO	3/15/10		Linn County Sheriffs Office	4	0	4	Phase 1 accuracy only.		x	
Lyon	GSM	2	NO	10/12/09		Emporia Police Dept	1.	0	1	Phase 1 accuracy only.		×	
Marion	GSM	2	NO	6/29/09		Marion County Communications	4	0	4	Phase 1 accuracy only.		×	
Marshall	GSM	2	NO	2/15/10		Marshall County Sheriff	3	0	3	Phase 1 accuracy only.		×	
Miami	GSM	2	NO	2/20/09		Miami County Sheriff	6	0	6	Phase 1 accuracy only		x	
Mitchell	GSM	2	NO	7/1/09		Mitchell County Communications	1	0	1	Phase 1 accuracy only.		×	
Morris	GSM	2	NO	7/29/09		Morris County Sheriff	-2	0	2	Phase 1 accuracy only.		×	
Nemaha	GSM	2	NO	3/22/10		Nemaha County Sheriff	1	0	1	Phase 1 accuracy only.		×	
Reno	GSM	2	NO	3/1/10		Hutchinson-Reno 911	5	0	5	Phase 1 accuracy only.		×	
Republic	GSM	2	NO	7/1/09		Republic County Communications Center	2	0	2	Phase 1 accuracy only.		x	

Rice	GSM	2	NO	4/1/10		Rice County 9-1-1 Emergency Communic	1	0	1	Phase 1 accuracy only
Riley	GSM	2	NO	9/28/09		RILEY COUNTY 911	3	0	3	Phase 1 accuracy only  Phase 1 accuracy only
Saline	GSM	2	NO							A A A STATE OF THE A
		2		6/8/09		SALINA POLICE DEPARTMENT	2	0	2	Phase 1 accuracy only.
Sumner	GSM		NO	7/28/09		SUMNER COUNTY 9-1-1	4	0	4	Phase 1 accuracy only.
Wabaunsee	GSM	2	NO	12/14/09		Wabaunsee County Sheriff	3	0	3	Phase 1 accuracy only
Washington	GSM	2	NO	3/22/10		WASHINGTON COUNTY SHERIFF	1	0	1	Phase 1 accuracy only.
Woodson	GSM	2	NO	10/12/09		WOODSON COUNTY SHERIFFS OFFIC	2	0	2	Phase 1 accuracy only.
Micintosh	CDMA_GSM	2	NO	4/5/11	4/5/11	North Dakota State Radio	1	1	1.	Phase 2 compliant CDMA but not GSM
Ward	GSM	2	NO	4/5/11	4/3/11	Minot City-Ward County Central Dispatch	1	0	1	Priase 2 compilant Construct Octor
		2	NO		415144		1		1	Phone 2 compliant CDMA but not CSM
MicHenry New Mexico	CDMA_GSM	- 4	NO	4/5/11	4/5/11	North Dakota State Radio	1	-	1	Phase 2 compliant CDMA but not GSM
Catron	CDMA_GSM	2	NO	10/30/09	10/30/09	Catron County Sheriff	3	3	3	Phase 2 compliant CDMA but not GSM
Colfax	CDMA_GSM	2	NO	9/25/09	9/25/09	Raton Police Department	3	4	4	Phase 2 compliant CDMA but not GSM
Grant	GSM	2	NO	6/2/09	J. A0100	Grant County Regional Dispatch	5	0	5	Phase 1 accuracy only
Los Alamos	GSM	2	NO	4/25/08		Los Alamos County Police Dept	0	4	4	Phase 1 accuracy only.
Luna	GSM	2	NO	9/24/09		Luna County Central Dispatch	1	0	1	Phase 1 accuracy only
Rio Arriba	CDMA_GSM	2	NO	11/18/08	10/28/09	Espanola-Rio Arriba 911	3	7	8	Phase 2 compliant CDMA but not GSM
Sandoval	CDMA_GSM	2	NO	11/12/08	10/29/09	Sandoval County Communications	5	4	5	Phase 2 compliant CDMA but not GSM
Taos - Red River	CDMA_GSM	2	NO	10/16/09	10/25/05	RED RIVER MARSHALL	1	1	2	
Nevada	CDIVIA_GGIVI	-	NO	10/10/09	10/10/03	RED RIVER WARSHALL		7,87	- 4	Phase 2 compliant CDMA but not GSM
Churchill	CDMA_GSM	2	NO	6/15/09	9/22/09	Churchill County Sheriff	12	17	19	Phase 2 compliant CDMA but not GSM
Esmeralda	CDMA GSM	2	NO	2/3/11	2/3/11	Nye Coutny Sheriff-Beatty/Pahrump/Tonk	5	5	6	Phase 2 compliant CDMA but not GSM
Nye	CDMA GSM	2	NO	2/3/11	2/3/11	Nye Coutny Sheriff-Beatty/Pahrump/Tonk	6	6	8	Phase 2 compliant CDMA but not GSM
Washoe	CDMA_GSM	2	NO	2/17/11	2/17/11	City of Reno	1	1	1	Phase 2 compliant CDMA but not GSM
Oklahoma										
Greer	GSM	2	NO	4/7/09		GREER COUNTY SHERIFFS DEPARTN	3	0	1	Phase 1 accuracy only.
Kiowa	GSM	2	NO	4/7/09		HOBART POLICE DEPARTMENT	1	0	1	Phase 1 accuracy only.
Harmon	GSM	2	NO	4/7/09		HOLLIS POLICE DEPARTMENT	1	0	1	Phase 1 accuracy only.
Jackson	GSM	2	NO	4/7/09		ALTUS POLICE DEPARTMENT	5	0	5	Phase 1 accuracy only.
Tillman	GSM	2	NO	9/15/09	17947-5	TILLMAN COUNTY SHERIFFS OFFICE	0	2	2	Phase 1 accuracy only.
Utati										
Beaver	CDMA_GSM	2	NO	6/28/11		Beaver County Sheriffs Office Dispatch	3	1	1	Phase 2 compliant CDMA but not GSM
Garfield	CDMA_GSM	2	NO	6/29/11		Garfield County Sheriffs Office Dispatch	3	3	3	Phase 2 compliant CDMA but not GSM
Kane	CDMA_GSM	2	In Progress			Kane County Sheriff	3	3	3	deployment completed in appx 6 mo
San Juan	CDMA_GSM	2	In Progress			San Juan County Sheriff	6	5	6	deployment completed in appx 6 mo
Wayne	CDMA_GSM	2	NO	6/21/11		Richfield Communications Center	3	3	3	Phase 2 compliant CDMA but not GSM

<sup>(</sup>a)\* = Phase 2 infrastructure installed, insufficient triangulation to meet E911 accuracy thresholds

<sup>(</sup>b)\*\* = Advised PSAP of insufficient triangulation; consent not to install Phase 2 infrastructure

<sup>(</sup>c)\*\*\* = Not Phase 2 compliant yet, but expect to be Phase 2 compliant w/in 6 months